

Notice of Allowability

Application No.

10/022,284

Examiner

Dah-Wei D. Yuan

Applicant(s)

TOMIHARA ET AL.

Art Unit

1745

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/8/06.
2. ☒ The allowed claim(s) is/are 11-16.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

CADMIUM NEGATIVE ELECTRODE FOR ALKALINE STORAGE BATTERY
METHOD FOR PRODUCING THE SAME

Examiner: Yuan

S.N. 10/022,284

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January 25, 2007

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 8, 2006 has been entered. Claim 15 was amended.

2. The text of those sections of Title 35, U.S.C. code not included in this action can be found in the prior Office Action issued on February 17, 2006.

Claim Rejections

3. The claim rejections under 35 U.S.C. 103(a) as obvious over Stiker et al., Hirakawa et al., Oshitani, and Treger et al. on claims 11-16 are withdrawn because Applicant's arguments are persuasive. The claim rejections under 35 U.S.C. 103(a) as obvious over Kobayashi, Oshitani, and Treger et al. on claims 11-16 are withdrawn because Applicant's arguments are persuasive.

Reasons for Allowance

4. Claims 11-16 are allowed. The invention of independent claim 11 recites a method of producing a cadmium negative electrode for alkaline batteries, comprising (a) coating a surface of a porous electrically conductive core body with nickel powder, (b) drying and sintering the product of step (a) to form a nickel sintered electrically conductive core body, (c) immersing the nickel sintered electrically conductive core body in an impregnating solution containing cadmium nitrate, (d) drying, (e) subjecting the dry nickel sintered electrically conductive core body to alkali treatment so that the pores of the nickel sintered core body are filled with cadmium hydroxide, (f) applying a preliminary charge to the cadmium negative electrode, and (g) applying polyethylene glycol to a surface of said cadmium negative electrode, wherein the polyethylene glycol having a mean molecular weight of 600 or higher but not more than 20000 dissolved in a solvent. The closest prior art of record, Stiker et al., Hirakawa et al., Oshitani, and Treger et al., does not teach the application of polyethylene glycol to the cadmium negative electrode, wherein the polyethylene glycol has a mean molecular weight of 600 or higher but not more than 20000.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dah-Wei D. Yuan whose telephone number is (571) 272-1295. The examiner can normally be reached on Monday-Friday (8:00-5:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick J. Ryan, can be reached on (571) 272-1292. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dah-Wei D. Yuan
January 25, 2007



DAH-WEI YUAN
PRIMARY EXAMINER